



PAC FILING GUIDELINES

FAIR CAMPAIGN PRACTICES ACT ♦ ELECTION 2008

Elections Division

Beth Chapman, Secretary of State

POLITICAL ACTION COMMITTEE (PAC) . . .

Alabama's Fair Campaign Practices Act (FCPA) defines a political committee as:

Any political committee, club, association, principal campaign committee, political party, or other group of one or more persons which receives or anticipates receiving contributions or makes or anticipates making expenditures to or on behalf of any elected official, proposition, candidate, principal campaign committee, or other political committee . . . [Code of Alabama, 1975, §17-5-2(10)]

STATEMENT OF ORGANIZATION . . .

If a political committee (other than a *Principal Campaign Committee* formed by a candidate) receives contributions or makes expenditures in excess of \$1,000, the committee must file a *Statement of Organization Form* within **10 days** of reaching that threshold or within **10 days** of forming. The statement and subsequent campaign finance pre-election reports are filed with the secretary of state's office, if the PAC supports candidates or issues at the state level, or with the local probate judge, if it supports county or municipal candidates or issues.

Federal PACs are not subject to the Fair Campaign Practices Act. Each federal PAC is required to comply with federal campaign finance law by submitting any required reports to the Federal Election Commission (FEC).

FINANCIAL DISCLOSURE REPORTS . . .

PACs are required to file when they participate in an election, but all PACs must file the Annual Report that is due by January 31 each year. [§17-5-8(b)]

Pre-election reports are filed at specific times:

PRIMARY	50-45 DAYS BEFORE THE PRIMARY
	10-5 DAYS BEFORE THE PRIMARY
PRIMARY RUN-OFF	10-5 DAYS BEFORE THE PRIMARY RUN-OFF
GENERAL	50-45 DAYS BEFORE THE GENERAL
	10-5 DAYS BEFORE THE GENERAL

NOTIFICATION OF MATERIAL CHANGE . . .

Changes in officers, phone number or address, or a name change for a political action committee must be reported within **10 days** of the change. [§17-5-5(8)(c)] An *Update Form* is available for reporting new information.

TERMINATION OF COMMITTEE . . .

Once a PAC becomes inactive, the chairperson should dissolve the committee by filing a *Statement of Dissolution* with the secretary of state or probate judge. This form must be accompanied by a final report showing all contributions and expenditures not previously reported and stating how any excess funds will be distributed. [§17-5-5(d)]

HAVE QUESTIONS OR NEED FORMS? CONTACT . . .

By mail:

Elections Division
Office of the Secretary of State
P.O. Box 5616
Montgomery, Alabama 36103-5616

By telephone:

1-800-274-VOTE (8683) or 334-242-7210

The Elections Division is located in Room E-208 of the State Capitol building at 600 Dexter Avenue in Montgomery, Alabama.

PAC POINTS

The FCPA requires that receipts and cancelled checks must be kept for two years from the date of expenditure. [§17-5-3(d)]

The law specifies that the political committee's money shall not be commingled with any personal funds of officers, members or associates of the political committee. [§17-5-3(b)]

TAX INFORMATION

Some state PACs are not tax exempt. For additional information, contact the State Revenue Department (334-242-1170) and the Internal Revenue Service.

ADVERTISING

When a PAC sponsors any political advertising for or against a candidate or ballot issue, the advertising must be clearly identified by the PAC. For further information, ask for the handout, Campaign Advertising Disclaimer Guidelines, produced by the Office of Secretary of State.

FEDERAL ELECTIONS

PACs participating in federal elections are subject to federal campaign finance law and regulations.

These PACs should call or write the Federal Election Commission for filing information.

Telephone:
1-800-424-9530

Mail:
Federal Election
Commission
999 E. Street, NW
Washington, DC 20463